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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/343,183	06/30/1999	MASAMI KATO	862.2914	7586

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

NGUYEN, QUANG N

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 04/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/343,183

Applicant(s)

KATO, MASAMI

Examiner

Quang N. Nguyen

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-38, 40, 41, 43, 44, 46 and 47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-38, 40, 41, 43, 44, 46 and 47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Claims 19-38, 40-41, 43-44 and 46-47 are presented for examination. Claims 1-18, 39, 42 and 45 have been cancelled. Claims 19, 21, 31, 35, 37, 40-41, 43-44 and 46-47 have been amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 19-24, 31-32, 40-41, 43-44 and 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto (US 5,991,276), in view of Jong (US 6,173,250).**

4. As to claims 19-21, Yamamoto teaches a multipoint videoconference system including a videoconference server (a data communication control apparatus) comprising:

connecting means for connecting a general-purpose terminal (Yamamoto, ATM interface unit 46 of Fig. 6);

image generating means for generating image data that conforms to the general-purpose terminal (Yamamoto, MPEG video encoder 51 of Fig. 6);

image distributing means for distributing the image data, which have been generated by said image generating means, to the general-purpose terminal via said connecting means (Yamamoto, the multiplexer/demultiplexer 47 of FIG. 6);

data distributing means for distributing the text data to the general-purpose terminal with image data, associated with the voice data, distributed by said image distributed means (Yamamoto, the multiplexer/demultiplexer 47 of FIG. 6, C8: L25-32);

However, Yamamoto does not explicitly teach voice recognition means for recognizing voice data and generating text data based upon the recognized voice data.

In the related art, Jong teaches an apparatus and method for speech-text and text-speech communication over data networks includes speech recognition device 203 and speech conversion device 206 of Fig. 2 that convert speech signals into text data and text data received from a data network to speech output signals (Jong, C3: L36-50, C4: L57-67 and C5: L1-34).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Yamamoto to include the speech-text conversion means as suggested by Jong because text data packets representing speech are streaming at a lower data rate and the transmission of the text data packets may be performed at a lower bandwidth therefore faster than the transmission of voice data packets over a network.

5. As to claims 20-24, Yamamoto-Jong teaches the system as in claim 19, wherein said voice recognition means generates text-chat data; said general-purpose terminal and communication terminals have a data conferencing function based upon text-chat data (Jong, C4: L57-67 and C5: L1-33).

6. Claims 31 and 32 are corresponding apparatus claims of claims 19 and 23; therefore, they are rejected under the same rationale.

7. Claims 40-41, 43-44 and 46-47 are corresponding method, data communication system and recording medium claims of claims 19 and 31; therefore, they are rejected under the same rationale.

8. Claims 25-30 and 33-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto, in view of Jong, and further in view of Berry et al. (US 6,404,747), herein after referred as Berry.

9. As to claim 25, Yamamoto-Jong teaches the system as in claim 22, but does not explicitly teach the text-chat data is in compliance with ITU-T Recommendation T.120.

In the related art, Berry teaches a Video Multimedia Call Center (VMMCC) with multipoint access through a PBX (private branch exchange) within an ACD (automatic call distribution) environment has both audio and video capabilities wherein the T.120-

Art Unit: 2141

series of recommendations to provide a means for telecommunicating all forms of data/telematic media between 2 or more endpoints (Berry, C5: L46-67 and C6: L1-52).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify and combine the systems of Yamamoto-Jong and Berry wherein the text-chat data is in compliance with ITU-T Recommendation T.120 since such methods/techniques were well-known and conventionally employed in the field of multimedia communications.

10. As to claim 26, Yamamoto-Jong-Berry teaches the system as in claim 19, wherein said connecting means connects the general-purpose terminal by the Internet Protocol (Berry, C11: L51-59).

11. As to claims 27-28, Yamamoto-Jong-Berry teaches the system as in claim 26, wherein a web page is generated and distributed to communication terminals (Berry, C12: L3-8).

12. As to claims 29-30, Yamamoto-Jong-Berry teaches the system as in claim 19, wherein said communication terminals are dedicated videoconferencing terminals in compliance with any of ITU-T Recommendations H.320, H.323 and H.324; and wherein the data communication control apparatus is in compliance with ITU-T Recommendations H.231 and H.243 (Berry, C6: L5-52).

Art Unit: 2141

13. Claims 33-38 are corresponding claims of claims 25-30; therefore, they are rejected under the same rationale.

14. Applicant's request for reconsideration as well as arguments filed on 03/17/2003 have been fully considered but are moot in view of the new ground(s) of rejection.

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2141

16. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary, Le H. Luu, can be reached at (703) 305-9650. The fax phone number for the organization is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Quang N. Nguyen

A handwritten signature in black ink, appearing to read 'LH Luu', written over a horizontal line.

LE HIEN LUU
PRIMARY EXAMINER